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October 12, 2012

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VIA ECF

Judge Denis R. Hurley
United States District Court for the Eastern District of New York
P.O. Box 9014
100 Federal Plaza
Central Islip, NY 11722

Re: James A. Gross v. Capital One, N.A.
Case No. 2:12-cv-2858

Your Honor:

We represent Defendant Capital One, N.A. in the above-referenced action. We write to respectfully request an adjournment of time for Defendant to answer or otherwise respond to the Complaint pursuant to Your Honor's Individual Practice Rule 2(E).

Plaintiff consents to Defendant's request to adjourn the deadline for filing an answer or other response to the Complaint from October 15, 2012 until **November 15, 2012**. This is Defendant's second request for an extension of time. The previous request was granted by the Court. There are no other scheduled deadlines or appearances in this action at this time.

Respectfully submitted,



Emily R. Pidot
for PAUL HASTINGS LLP

cc: Justin Reilly
Neil H. Greenberg & Associates, P.C.
Attorneys for Plaintiff